

ORIGINAL

Approved: 

PETER J. DAVIS
Assistant United States Attorney

Before: THE HONORABLE ONA T. WANG
United States Magistrate Judge
Southern District of New York

19MAG1768.

----- X	:	<u>SEALED COMPLAINT</u>
UNITED STATES OF AMERICA	:	
- v. -	:	Violations of
	:	18 U.S.C. §§ 1349,
ANTHONY GIVENS,	:	1344, and 2
	:	
	:	
	:	COUNTY OF OFFENSE:
Defendant.	:	BRONX
	:	
----- X	:	

SOUTHERN DISTRICT OF NEW YORK, ss.:

DANIEL ALESSANDRINO, being duly sworn, deposes and says that he is a Detective with the New York City Police Department ("NYPD"), and charges as follows:

COUNT ONE

(Conspiracy to Commit Bank Fraud)

1. From at least in or about October 2018 up to and including in or about December 2018, in the Southern District of New York and elsewhere, ANTHONY GIVENS, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit bank fraud, in violation of Title 18, United States code, Section 1344.

2. It was a part and object of the conspiracy that ANTHONY GIVENS, the defendant, and others known and unknown, willfully and knowingly would and did execute a scheme and artifice to defraud financial institutions, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institutions, by means of false

and fraudulent pretenses, representations, and promises, in violation of Title 18, United States Code, Section 1344.

(Title 18, United States Code, Sections 1349.)

COUNT TWO
(Bank Fraud)

3. From at least in or about October 2018 up to and including December 2018, in the Southern District of New York and elsewhere, ANTHONY GIVENS, the defendant, did execute and attempt to execute a scheme and artifice to defraud financial institutions, the deposits of which were then insured by the Federal Deposit Insurance Corporation, and to obtain moneys, funds, credits, assets, securities, and other property owned by, and under the custody and control of, such financial institutions, by means of false and fraudulent pretenses, representations, and promises, to wit, the defendant deposited stolen, forged, and / or altered checks into bank accounts in an effort to fraudulently withdraw said funds.

(Title 18, United States Code, Sections 1344 and 2.)

The bases for my knowledge and for the foregoing charge are, in part, as follows:

4. I am a Detective with the New York City Police Department, during which tenure I have participated in dozens of investigations into criminal offenses involving bank fraud, and am familiar with some of the means and methods used to commit such offenses. I have been personally involved in the investigation of this matter, and I base this affidavit on that experience, on my conversations with other law enforcement officials, and on my examination of various reports and records, and on my conversations with witnesses. Because this affidavit is being submitted for the limited purpose of demonstrating probable cause, it does not include all the facts I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

5. Based on my conversations with witnesses and other law enforcement agents and my review of records, including surveillance footage, I have learned that from in or about October 2018, the defendant individually, and with others, did deposit or attempt to deposit forged or stolen checks into bank

accounts and did withdraw funds derived from those bank accounts.

6. Based on my review of bank records, I have learned that on or about November 5, 2018, surveillance footage captured a man, later identified as ANTHONY GIVENS, the defendant, depositing a check for \$9,800 ("Check-1") at an Automated Teller Machine ("ATM") at a branch of a national bank ("Bank-1") in the Bronx, New York. GIVENS deposited Check-1 into the bank account of third party ("Account-1").

a. On or about November 15, 2018, surveillance footage captured a man, later identified as GIVENS, making three withdrawals of \$900, \$800, and \$800 from Account-1.

b. Check-1 was stolen. I spoke with the person from whose account the check was drawn, and he or she confirmed that he or she did not issue a check to Account-1, nor issue a check for that particular amount.

c. I later identified the man captured depositing Check-1 on November 5, 2018 and withdrawing funds from Account-1 on November 15, 2018 in the surveillance footage as GIVENS, by comparing the video capture with the photos of GIVENS from law enforcement arrest records.

7. Based on my review of bank records, I have learned that on or about November 13, 2018, surveillance footage captured ANTHONY GIVENS, the defendant, depositing a check for \$9,200 ("Check-2") at an ATM for Bank-1 in the Bronx, New York. GIVENS deposited Check-2 into the bank account of a third-party ("Account-2"). Minutes later, surveillance video captured GIVENS withdrawing \$300.00 from Account-2 from the same ATM.

a. I later identified the man captured depositing Check-2 in the surveillance footage as GIVENS, by comparing the video capture with the photos of GIVENS from law enforcement arrest records.

b. Check-2 was stolen. I spoke with the person from whose account the check was drawn, who confirmed that he or she did not issue a check to Account-2, nor issue a check for that particular amount.

8. Based on my review of bank records, I have learned that on or about November 26, 2018, surveillance footage captured ANTHONY GIVENS, the defendant, depositing a check for \$5,200 ("Check-3") at an ATM for Bank-1 in the Bronx, New York.

Givens deposited Check-3 into Account-2. Minutes later, at the same ATM, surveillance video captured GIVENS depositing a check for \$6,200 ("Check-4") into Account-1.


a. I later identified the man captured depositing Check-3 and Check-4 in the surveillance footage as GIVENS, by comparing the video capture with the photos of GIVENS from law enforcement arrest records.

b. Check-3 and Check-4 were stolen. I spoke with the people from whose accounts the checks were drawn. They did not issue checks to Account-2 or Account-1, respectively.

9. Based on my review of Bank-1 records and conversations with representatives at Bank-1, I have learned that the defendant, ANTHONY GIVENS, has deposited approximately five other checks into third-party accounts at Bank-1 totaling approximately \$44,753.28. These checks were stolen. I spoke with the people from whose accounts the checks were drawn and they did not issue checks to these accounts.

10. Based on my experience with investigating Bank frauds, I have learned that Bank-1 is insured by the Federal Deposit Insurance Corporation.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of ANTHONY GIVENS, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.



DANIEL ALESSANDRINO
Detective
New York City Police Department

Sworn to before me this
22nd day of February, 2019



THE HONORABLE QINA T. WANG
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK